IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.947 OF 1997
IN
SUMMARY SUIT NO.3950 OF 1997

Express Cargo Movers ..Plaintiffs

Vs.

Varun Seacon Ltd. ..Defendants

Mr.R.C.Dubey i/b Sanjeev Kanchan and Co. for the plaintiffs

Mr.Jayesh Vyas i/b Bilawala and Co. for the defendants

CORAM : S.U.KAMDAR, J
DATED : 21ST SEPTEMBER, 2005

P.C.:

. The present suit is filed for the recovery of clearing and forwarding charges under written contract. The claim in the suit is for the sum of Rs.4,37,336.92 including interest. Defendants are served. Defendant company was under BIFR. Matter was adjourned sine die. However, now it has come out of BIFR. Web site status shows that the company is no more in BIFR and winding up is recommended. In that view of the matter, protection u.s.22 is not applicable. The learned counsel for the defendants states that he has no

instruction in the matter. Thus, Summons for Judgment is made absolute. Suit is decreed. Suit as well as Summons for Judgment are disposed of accordingly. Refund of Court Fee as per rules.